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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 JEREMIAH LANCE WINCHESTER,

9 Petitioner,

10 v.

11 OBENLAND, et al.,

12 Respondents.  
13

Case No. C17-1136-RSL-JPD

ORDER REFERRING CASE TO  
FEDERAL PUBLIC DEFENDER FOR  
REVIEW

14 Petitioner has filed a petition for federal habeas relief pursuant to 28 U.S.C. § 2254, and a  
15 motion to appoint counsel. While there is no constitutional right to appointment of counsel in  
16 actions brought under § 2254, the Court may exercise its discretion to appoint counsel for a  
17 financially eligible individual where the “interests of justice so require.” 18 U.S.C. § 3006A; *see*  
18 *also Weygardt v. Look*, 718 F.2d 952 (9th Cir. 1983). It appears from the record that  
19 appointment of counsel may be warranted in the instant action. The Court, however, has  
20 insufficient information at present to determine whether the interests of justice, in fact, require  
21 such an appointment. Accordingly, the Court ORDERS as follows:

22 (1) This matter is referred to the Office of the Federal Public Defender for review.  
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(2) Within *twenty-one (21) days* of the date this Order is signed, the Office of the Federal Public Defender shall advise the Court whether it intends to seek appointment in this matter. If the Office of the Federal Public Defender determines that it will seek appointment, it shall assist petitioner in preparing a revised motion for appointment of counsel.

(3) The Clerk is directed to send copies of this Order to petitioner, to the Office of the Federal Public Defender, and to the Honorable Robert S. Lasnik.

Dated this 11th day of September, 2017.

*James P. Donohue*

JAMES P. DONOHUE  
Chief United States Magistrate Judge